

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 L-03 EB-07 TRSE-00 SCS-03 SCA-01 INT-05

XMB-02 COME-00 CIAE-00 DODE-00 PM-04 H-02 INR-07

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /077 W

----- 127977

R 231546Z JAN 76

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 2139

INFO AMEMBASSY BRUSSELS

AMEMBASSY BONN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY NICOSIA

C O N F I D E N T I A L ANKARA 0621

E.O. 11652\$ N/A

TAGS: PFOR, CPRS, EIND, CY, TU

SUBJC PROTECTION OF PROPERTY RIGHTS IN NORTHERN CYPRUS-  
ACTION BY OTHER COUNTRIES

REF: STATE 015035(NOTAL)

1. SUMMARY: UK AND WEST GERMANY HAVE A NUMBER OF  
PROPERTY CLAIMS IN CYPRUS AND HAVE MADE APPROACHES IN  
ANKARA OR IN NICOSIA IN THIS RESPECT. THEIR ACTION HAS  
BEEN SIMILAR TO BUT LESS COMPREHENSIVE THAN APPROACHES  
MADE BY US GOVERNMENT. BOTH GOVERNMENTS BELIEVE THAT  
RESOLUTION OF THESE PROBLEMS IN MOST CASES MUST WAIT  
ON POLITICAL SOLUTION OF DIFFERENCES IN CYPRUS AND AT  
BEST WILL NOT BE ENTIRELY SATISFACTORY. DUTCH AND  
BELGIANS HAVE RELATIVELY FEW CLAIMS AND HAVE MADE  
REPRESENTATIONS TO GOT LATE IN GAME. END SUMMARY.

2. BRITISH EMBASSY OFFICER (FULLERTON) SAID UK GOVERN-  
MENT HAS MADE CONTINUOUS REPRESENTATIONS BOTH IN ANKARA  
AND NICOSIA IN SUPPORT OF PROPERTY RIGHTS OF UK CITIZENS

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IN NORTHERN CYPRUS. IN ANKARA , THESE APPROACHES HAVE  
BEEN MADE TO TUNCBILEK IN FOREIGN MINISTRY. UK MINISTER

OF STATE ROY HATTERSLEY DURING A VISIT TO ANKARA IN JUNE 1975 ALSO DISCUSSED THIS MATTER WITH TURKISH FOREIGN MINISTER CAGLAYANGIL. TURKISH OFFICIALS HAVE TAKEN LINE (AS THEY HAVE WITH US) OF ASSERTING STRONGLY THAT THESE MATTERS SHOULD BE TAKEN UP WITH TURKISH CYPRIOT AUTHORITIES, THAT GOT IS NOR RPT NOT AN "OCCUPYING" POWER AND THEREFORE NOT RESPONSIBLE FOR PROPERTY IN NORTHERN CYPRUS, BUT THAT GOT WILL USE ITS GOOD OFFICES TO ASSIST WITH SPECIFIC DIFFICULTIES.

WITH REGARD TO SPECIFIC CLAIMS, UKG HAS BEEN CAREFUL TO AVOID ANY ACTION THAT WOULD CONSTITUTE OR IMPLY RECOGNITION OF TFCS. THEREFORE IT HAS INSTRUCTED UK CLAIMANTS TO PRESENT THEIR CLAIMS DIRECTLY TO TURKISH CYPRIOT AUTHORITIES (WITHOUT UKG INTERVENTION). TURKISH CYPRIOT AUTHORITIES HAVE REFUSED TO ACCEPT CLAIMS FOR LOSSES OF LIFE OR PROPERTY DURING PERIOD OF MILITARY OPERATIONS. THEREFORE UK EMBASSY IN ANKARA HAS PRESENTED SUCH CLAIMS TO GOT FOREIGN MINISTRY (TUNCBILEK). UK EMBASSY HAS NOT RPT NOT, HOWEVER, INFORMED GOT FOREIGN MINISTRY OF OTHER CLAIMS BROUGHT TO ATTENTION OF TURKISH CYPRIOT AUTHORITIES (AS THIS EMBASSY HAS DONE), BUT IT HAS NOTIFIED GOT THAT IT RESERVES RIGHT TO PRESENT SUCH CLAIMS TO GOT LATER IF SATISFACTORY SOLUTION NOT OBTAINED FROM TURK CYPRIOT AUTHORITIES. UK AUTHORITIES HAVE BEEN ASSURED BY TURK CYPRIOT AUTHORITIES (AND BY GOT FOREIGN MINISTRY) THAT ALL PROPERTY OF UK CITIZENS IN NORTHERN CYPRUS THAT HAS BEEN SEIZED HAS BEEN INVENTORIED AND THAT ITS DISPOSITION IS BEING CAREFULLY RECORDED. (UK AUTHORITIES HAVE CONSIDERABLE DOUBTS ABOUT THE STRICTNESS OF THESE CONTROLS.) UK ALSO HAS SOME PROBLEM REGARDING CITIZENSHIP OF SOME CLAIMANTS. SOME UK CITIZENS HAVE DUAL CYPRIOT CITIZENSHIP STEMMING FROM PECULIARITIES OF LAWS OF BOTH COUNTRIES AND THEIR HISTORICAL RELATIONSHIPS. FOR PERSONS OF RECOGNIZED DUAL NATIONALITY (I.E. BRITISH-CYPRIOT) UK ACCEPTS NO RESPONSIBILITY FOR THEIR PRESENCE OR THEIR PROPERTY IN CYPRUS. UK HOWEVER STRONGLY ASSERTS PROTECTIVE RESPONSIBILITY FOR UK CITIZENS OF GREEK OR CYPRIOT ORIGIN WHO ARE NOT DUAL NATIONALS AS WELL AS FOR  
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PERSONS OF PURELY UK ANTECEDENTS.

A NUMBER OF UK CITIZENS HAVE REMAINED IN NORTHERN CYPRUS IN POSSESSION OF THEIR PROPERTY. THESE CITIZENS HAVE BEEN ABLE TO ENTER AND LEAVE NORTHERN CYPRUS (BY WAY OF MERSIN) WITHOUT DIFFICULTY. UK HIGH COMMISSION OFFICERS HAVE BEEN ABLE TO VISIT SUCH CITIZENS OR TO INSPECT BRITISH PROPERTY REGULARLY. FROM TIME TO TIME, HOWEVER, PERMISSION FOR SUCH VISITS HAS BEEN DENIED. FULLERTON SAID UKG BELIEVES IT WILL BE VERY DIFFICULT

TO GET RESOLUTION OF CLAIMS UNTIL POLITICAL SETTLEMENT  
IN CYPRUS IS WORKED OUT. HE ALSO BELIEVES IT WILL BE EXTREMELY  
DIFFICULT TO GET FULL ACCOUNTING FOR PROPERTY.

3. WEST GERMAN EMBASSY OFFICER (DINGENS) SAID FRG HAS  
ALSO BEEN ACTIVE IN SUPPORT OF A NUMBER OF CLAIMS REGARD-  
ING GERMAN PROPERTY IN NORTHERN CYPRUS. MANY OF  
THESE CLAIMS CONCERN DISPOSITION OF COMMERCIAL SHIPMENTS  
THAT WERE STOPPED IN PORT OF FAMAGUSTA BY OUTBREAK OF  
FIGHTING. HOWEVER, A NUMBER OF CLAIMS RELATE TO PROPERTY  
OF WEALTHY (OR RETIRED) GERMAN CITIZENS. WHEN FRG EMBASSY  
APPROACHED GOT FOREIGN MINISTRY (TUNCBILEK), LATTER SAID  
ALL CLAIMS SHOULD BE FILED WITH TURKISH CYPRIOT AUTHORITIES.  
AS FRG (ALSO) DID NOT WANT TO TAKE ACTION IMPLYING RECOG-  
NITION OF TFCS, IT HAS ADVISED GERMAN CITIZENS TO FILE  
CLAIMS DIRECTLY. FRG EMBASSY HAS NOT RPT NOT FOLLOWED  
UP WITH NOTIFICATION TO GOT FOREIGN MINISTRY OF SUCH  
CLAIMS. MOST FRG CLAIMS ARE FOR CITIZENS WHO HAVE NO  
PROBLEM OF CYPRIOT OR GREEK ANTECEDENTS OR PROBLEM OF DUAL  
NATIONALITY. SOME OF THESE CLAIMANTS (APPARENTLY ANY WHO  
WANTED TO) HAVE BEEN ABLE TO GO WITHOUT DIFFICULTY TO  
CYPRUS TO SEE THEIR PROPERTY, BUT HAVE SEEN VERY  
LITTLE POSSIBILITY OF TAKING IMMEDIATE POSSESSION OF IT.  
THIS IS BECAUSE OF EXTENSIVE DAMAGE OR BECAUSE TURK CYPRIOT  
OR TURKISH FAMILIES ARE ALREADY IN OCCUPATION.

DINGENS IS NOT AWARE OF ANYONE WANTING TO PRESS CLAIMS  
FOR IMMEDIATE RECOVERY OR OCCUPATION OF PROPERTY IN  
SUCH CIRCUMSTANCES. HE BELIEVES ANY SETTLEMENT OF  
PROPERTY CLAIMS MUST AWAIT POLITICAL SETTLEMENT IN  
CYPRUS. ALSO MUCH PROPERTY HAS BEEN REMOVED AND IT WILL  
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BE VERY DIFFICULT TO ASSIGN RESPONSIBILITY . IN SEVERAL  
EMERGENCY CASES, HE SAID GOT FOREIGN MINISTRY (TUNCBILEK)  
HAS INTERVENED PROMPTLY AND EFFECTIVELY TO LOCATE  
RELATIVES OR TO ASSIST TRAVEL , ETC.

4. DUTCH AND BELGIANS ALSO HAVE A FEW PROPERTY CLAIMS  
IN CYPRUS AND HAVE MADE REPRESENTATIONS TO GOT SOMEWHAT  
LATE IN THE GAME. NETHERLANDS EMBASSY OFFICER SMITSENDONK  
SAID HE HAS TAKEN ACTION ON ONE CLAIM REGARDING A COMMER-  
CIAL SHIPMENT FROM PHILLIPS COMPANY AND SEVERAL PROPERTY  
CLAIMS. GOT FOREIGN MINISTRY (AS USUAL) REFERRED  
NETEHERLAND EMBASSY TO TURK CYPRIOT AUTHORITIES. AS  
GON DOES NOT RPT NOT WANT TO HAVE OFFICIAL CONTACT WITH  
TFCS OFFICIALS IT HAS ADVISED DUTCH ALAIMANTS TO FILE  
CLAIMS DIRECTLY. (NETHERLANDS EMBASSY IN ANKARA IS ALSO  
ACCREDITED TO NICOSUA.)  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PROPERTY PROTECTION, GOVERNMENT REACTIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 23 JAN 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** DG ALTERED  
**Executive Order:** GS  
**Errors:** N/A  
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**Office:** ACTION EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 MAR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 MAR 2004 by KelleyW0>; APPROVED <29 JUL 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PROTECTION OF PROPERTY RIGHTS IN NORTHERN CYPRUS- ACTION BY OTHER COUNTRIES  
**TAGS:** PFOR, CPRS, EIND, CY, TU, UK, GE  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006